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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/889,033	07/07/97	FRAZZITTA	D-1083

RALPH E JOCKE
231 SOUTH BROADWAY
MEDINA OH 44256

LMC1/1006

EXAMINER

VO, T

ART UNIT	PAPER NUMBER
2713	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/889,033

Applicant(s)
Frazzitta

Examiner
Tung Vo

Group Art Unit
2713



☒ Responsive to communication(s) filed on May 7, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-37 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-37 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Drawings

1. Drawings are objected to for failing to distinctly and clearly label on the elements with appropriate legend as required under 37CFR 1.84 (o).

Claim Rejections - 35 U.S.C. § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 12-19, 24-27, 28, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Domain et al. (US 5,158,155) in view of Ishida et al (US 5,745,160).

Re claims 1-3, 12-19, 24-27, 28, and 37, Domain discloses a system comprising an service provider (SP) station including an SP audio transmitting device and an SP audio receiving device (col. 11, lines 38-42); an SP pneumatic tube carrier delivery and receiving device (62 of fig. 6); customer station including a customer visual display (66 of fig. 6); a customer CCTV camera (58 of fig. 6); a customer audio transmitting device and customer audio receiving device in operate connection with audio receiving device and SP audio transmitting device, respectively, (54 of fig. 6); a customer pneumatic tube delivery and receiving device in operative connection with the SP pneumatic tube carrier delivery and receiving device, wherein a carrier delivery and

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receiving device, wherein a carrier is enable to be selectively moved between the customer station and the SP station (col. 12, lines 4-13); wherein said SP station is housed in secure room inside a building which comprises a wall and the customer station is disposed outside said secure room, and wherein at least one component among said customer visual display, customer CCTV camera, customer audio transmitting device, customer audio receiving device, customer audio receiving device and customer carrier device of the customer sation is in supporting connection with said wall (design choice) (col.9, lines 45-60); wherein said building wall is interior wall (col. 10, lines 30-38); wherein the system further comprises a plurality of customer stations (col. 11, lines 30-38) in the building in operative connection with a communication selector (74 of fig. 7) and with the SP station, wherein the video and audio connection between the SP station and one of said customer stations responsive to the communication selector device (74). wherein each customer station includes a device actuatable by a customer at a customer station and wherein the system further includes a queuing device at the SP station, and wherein the queuing device is in operative connection with each customer actuate able device, and wherein the pneuing device is operative to generate an order wherein said order includes data representative of a time sequence in which the actuatable devices at the customer stations were actuated, and wherein said queuing device is operative to indicate data responsive to said order (col. 12, lines 48-65), wherein at least one customer station comprises a sensor (col. 16, lines 39-46) wherein said sensor is operative to sense a person position adjacent the customer station, and wherein the SP station includes and

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indicator (156 of fig. 8) in operative connection with the sensor wherein an indication is given at the SP station of the presence of the person adjacent the customer terminal.

It is noted that Domain fails to particularly disclose the service provider display, SP CCTV camera, video switch device, material presetting device, computer as specified in claims 1, 14-17. However, Ishida teach the conventional video system station comprising the SP display (6 of fig. 21) connected to the customer camera; SP camera (7 of fig. 21) connected to the customer display for; a video switching device in operative connection with the SP station (104 of fig. 21) and wherein the video switching device is operative to selectively connect establish video connections between the SP CCTV camera and the customer video display on the customer station; a video material presenting device (14 of fig. 1) to generate video signal inoperative connection between the video switching device and the video presenting device, and wherein the video switching device is operative to selectively connect the video material presenting device or SP CCTV camera to the customer display; computer (2 of fig. 21), and wherein the computer is in operative connection with a data store (2416 of fig. 21) and wherein data store includes data representative of video material, and wherein the computer is in operative connection with a data transmission lines (14), and wherein in the video material is changeable through said data transmission line as specified in claims 1 and 14-17. One skilled in the art would obviously use the system taught by Ishida for directly seeing the customer in the SP station when the customers pick up the order. Therefore, it would be obvious to one of ordinary skill in the art to modify the display (6), camera (7), switching device (104), line (14) and computer (2) of Ishida into the

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system of Domain for the same purpose of capturing the customers then processing the customers image to display on the display when the customers come to pick up the orders as claimed. The motivation for doing so would have been to provide the identification of the customer and the selected order to the service provider faster.

4. Claims 4-11, 20 -23, and 30 -36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Domain et al. (US 5,158,155) in view of Ishida et al (US 5,745,160) as applied to claim 1 above, and further in view of Hain et al (US 4,649,832).

Re claims 4-11, 20-23, and 30-36, the combination of Domain and Ishida discloses the system for recognizing the customers when the customers come to pick up the order but the combination fails to particularly disclose the customer terminal system comprising a frame, subframe, cover, shelf, hinge and storage location as specified in claims 4-11, 20-23, and 30-37. However, Hain teaches the conventional customer terminal comprises a frame (74 of fig. 5), and wherein said wall comprises an opening (58 of fig. 5), and wherein said frame is in supporting connection with said wall and extends in said opening, and wherein at least one of said customer visual display, customer CCTV camera, customer audio transmitting device, customer audio receiving device, or customer carrier device is in supporting connection with the frame; wherein the customer terminal further comprises a cover (72 of fig. 5), and wherein the cover is movably mounted in supporting connection with the wall and wherein in a first position the cover overlies at least one component among the customer visual display, customer CCTV camera, or customer

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carrier device, and wherein said cover includes at least one opening, wherein the one component is manually accessible whereby it is enable to be operated a customer in the first position of the cover, and wherein in a second position said cover is disposed from one component and said component is rendered accessible for servicing (col. 4, lines 45-65); frame comprises a door frame (78 of fig. 5); at least one hinge (73 of fig. 5) operatively connected to said door frame, and wherein said cover is movable mounted relative to said frame through said hinge; a subframe in supporting connection with said frame (86 of fig. 5), and wherein said subframe extends in said opening, and wherein at least one of said customer visual display, said customer CCTV camera, or said customer carrier device is in supporting connection with the subframe; a generally horizontally extending shelf (100 of fig. 7), whereby a customer is enable to conduct writing or other activities on said shelf and the cover includes at least one storage location (100 of fig. 7) wherein articles are enable to be stored in the storage location. The conventional assembly of Hain would obviously be used in the customer station and other convenient sation for the customers who would like to get or pick up the order safely. Therefore, it would have been obvious to one of ordinary skill in the art to modify the conventional assembly of the Hain device into the combination device of Domain and Ishida in the same arrangement for secure the customers during picking up the orders as claimed. The motivation for doing so would have been to provide the secure way for the customers during picking up the orders.

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Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Serry (US 4,398,212) discloses a shipping container for closed circuit television system.

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Tung Vo whose telephone number is (703) 308-5874 and email is "Vo,Tung@uspto.gov". The examiner can normally be reached on Monday to Friday from 7:00 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tommy Chin, can be reached on (703) 305-4715. The fax number for submitting formal communications is (703) 308-9051, and for informal communications is (703) 308-5359.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

TUNG T. VO
PATENT EXAMINER

T. Vo

September 30, 1999


TOMMY P. CHIN
SUPERVISORY PATENT EXAMINER
GROUP 2700